

UTILITY PATENT APPLICATION TRANSMITTAL

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(Only for new nonprovisional applications under 37 CFR 1.53(b))*

ADDRESS TO:

**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**


Attorney Docket No. 02-1134-E
First Named Inventor Gary T. Neel
Express Mail No. EV333548053US

22141 U.S. PTO
10/706161
111203

| APPLICATION ELEMENTS | ACCOMPANYING APPLICATION PARTS |
|---|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Transmittal Form with Fee 2. <input checked="" type="checkbox"/> Specification (including claims and abstract) [Total Pages 64] 3. <input checked="" type="checkbox"/> Drawings [Total Sheets 19] 4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 2] <ol style="list-style-type: none"> a. <input type="checkbox"/> Newly executed b. <input checked="" type="checkbox"/> Copy from prior application [Note Boxes 5 and 18 below] <ol style="list-style-type: none"> i. <input checked="" type="checkbox"/> Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application 5. <input checked="" type="checkbox"/> Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. 6. <input type="checkbox"/> Computer Code Listing (See 1.96) <ol style="list-style-type: none"> a. <input type="checkbox"/> Microfiche Appendix b. <input type="checkbox"/> CD-Rom (in duplicate, with separate transmittal) 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <ol style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy c. <input type="checkbox"/> Statement verifying above copies 8. <input checked="" type="checkbox"/> Small Entity Status <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> is claimed <input type="checkbox"/> Statement filed in prior application; status still proper and desired <input type="checkbox"/> is no longer claimed. </div> | <ol style="list-style-type: none"> 9. <input type="checkbox"/> Assignment Papers 10. <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS) <div style="margin-left: 20px;"> <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Copies of IDS Citations </div> 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input type="checkbox"/> A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i) 17. <input checked="" type="checkbox"/> Other: Statement under 37 CFR 1.63(d)(2) 18. <input checked="" type="checkbox"/> Other: Patent Application Data Sheet |
| <p>18. <input checked="" type="checkbox"/> This is a CONTINUING APPLICATION. Please note the following:</p> <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> This is a <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of prior U.S. Patent Application Serial No. 10/286,648, filed on November 1, 2002. b. <input checked="" type="checkbox"/> Cancel in this application original claims 1-38 and 42-57 of the prior application before calculating the filing fee. (At least one claim must remain.) c. <input type="checkbox"/> Amend the specification by inserting before the first line the sentence: This is a <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part of application Serial No. _____ d. <input checked="" type="checkbox"/> The prior application is assigned of record to Home Diagnostics, Inc. | |

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 02-1134-E

| APPLICATION FEES | | | | |
|--|---|----------------------------------|------------|-----------|
| BASIC FEE | | | | \$ 770.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
| Total Claims | 3 - 20 = | 0 | x \$18.00 | \$ 0 |
| Independent Claims | 1 - 3 = | 0 | x \$86.00 | \$ 0 |
| <input type="checkbox"/> Multiple Dependent Claims(s) if applicable | | | + \$290.00 | \$ 0 |
| Total of above calculations = | | | | \$ 770.00 |
| Reduction by 50% for filing by small entity = | | | | \$(385) |
| <input type="checkbox"/> Assignment fee if applicable | | | + \$40.00 | \$ 0 |
| TOTAL = | | | | \$ 385 |
| 19. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 13-2490 in the amount of \$385 | | | | |
| 20. <input checked="" type="checkbox"/> A check in the amount of \$385 is enclosed. | | | | |
| 21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490: | | | | |
| a. | <input checked="" type="checkbox"/> | Fees required under 37 CFR 1.16. | | |
| b. | <input checked="" type="checkbox"/> | Fees required under 37 CFR 1.17. | | |
| c. | <input checked="" type="checkbox"/> | Fees required under 37 CFR 1.18. | | |
| 22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time. | | | | |
| 23. CERTIFICATE OF MAILING | | | | |
| I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below. | | | | |
| 24. USPTO CUSTOMER NUMBER | | | | |
| 20306 | | | | |
| McDonnell Boehnen Hulbert & Berghoff | | | | |
| 25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | |
| Name | Richard A. Machonkin | | | |
| Reg. No. | 41,962 | | | |
| Signature |  | | | |
| Date | November 12, 2003 | | | |

UTIL (Rev. 11/21/00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 02-1134-E)

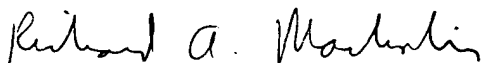
| | | |
|---|---|---------------|
| In the Application of: |) | |
| |) | |
| Gary T. Neel, et al. |) | Art Unit: TBA |
| |) | |
| Serial No.: TBA (Div. of 10/286,648) |) | |
| |) | Examiner: TBA |
| Filed: November 12, 2003 |) | |
| |) | |
| For: Systems and Methods for |) | |
| Blood Glucose Sensing |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.63(d)(2)

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Commissioner is requested to delete the names of the following persons who are not inventors of the invention being claimed in this application: Houston F. Voss; Allan Javier Caban; and David K. Boehm.

Date: November 12, 2003

By: 
Richard A. Machonkin
Registration No. 41,962